

APPROVED BY THE BOARD OF SELECTMEN

**MINUTES
BOARD OF SELECTMEN
REGULAR MEETING
JUNE 2, 2003**

ATTENDANCE: First Selectman Robert Harrel; Evonne Klein; Joseph Warren; Dr. Joseph Miceli; Barbara Thorne

STAFF: John Crary, Town Administrator

OTHERS: Flora Smith

First Selectman Harrel called the meeting to order at 5:30 p.m.

**REGULAR MEETING
NEW BUSINESS**

RESOLUTION REGARDING THE RESTORATION OF GOODWIVES RIVER

First Selectman Harrel stated that the Town had \$77,000 budgeted for the Goodwives Sediment Dredging Project and that through a number of meetings with the Friends of Goodwives River, the Board approved that \$20,000 of the available funds will be spent on the engineering work, with the balance of \$57,000 to be spent for the actual work on the project.

**** MR. WARREN WAIVED THE READING OF THE RESOLUTION AND MOVED TO APPROVE THE FOLLOWING RESOLUTION:**

WHEREAS, THE "FRIENDS OF GOODWIVES RIVER" HAVE ASKED THE TOWN TO COOPERATE WITH THEIR EFFORTS TO RESTORE THE GOODWIVES RIVER, AND

WHEREAS, THIS ASSISTANCE INCLUDES THE COMMITMENT OF FINANCIAL SUPPORT FROM THE TOWN'S RESERVE FUND FOR CAPITAL NON-RECURRING EXPENDITURES (RFCNRE), AND

WHEREAS, THE TOWN HAS BUDGETED \$77,000 FOR GOODWIVES SEDIMENT DREDGING, AND

WHEREAS, IT IS UNDERSTOOD THAT PRIOR TO UNDERTAKING ANY WORK WITH THE PROTECTED ENVIRONMENT OF THE

GOODWIVES RIVER THAT CERTAIN PERMITS ARE REQUIRED AND PRELIMINARY ENGINEERING WORK HAS TO BE PERFORMED TO PRESENT THE PROPOSED WORK IN SUFFICIENT DETAIL TO OBTAIN THE PERMITS AND TO ALLOW COMPETITIVE BIDDING TO OCCUR, NOW THEREFORE BE IT

RESOLVED, THAT THE BOARD OF SELECTMEN HEREBY AUTHORIZES UP TO \$20,000 OF THE AVAILABLE FUNDS IN THE RFCNRE ACCOUNT TO BE OBLIGATED FOR NECESSARY ENGINEERING WORK REQUIRED FOR THESE PURPOSES.

**** DR. MICELI SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

RESOLUTION AUTHORIZING THE CONTINUATION OF THE TECHNOLOGY AGREEMENT WITH THE DARIEN BOARD OF EDUCATION

First Selectman Harrel reported that the resolution is for the authorization of the renewal of a one-year agreement between the Town and the Board of Education to work cooperatively to maintain and keep the Town's technology systems up and running. He stated that John Crary, Administrative Officer for the Town, is authorized to execute the agreement on behalf of the Board of Selectmen. First Selectman Harrel also stated that the dollars were budgeted.

Ms. Thorne noted that this was a very successful venture on both sides.

**** MR. WARREN WAIVED THE READING OF THE RESOLUTION AND MOVED TO APPROVE THE FOLLOWING RESOLUTION:**

WHEREAS, THE TOWN AND THE BOARD OF EDUCATION HAVE HAD AN AGREEMENT TO WORK COOPERATIVELY TO MAINTAIN AND UPKEEP THE TOWN'S TECHNOLOGY SYSTEMS, AND

WHEREAS, THE STAFF SUPPORT PROVIDED BY THE BOARD OF EDUCATION, HAS ENABLED THE TOWN TO PROVIDE THESE SERVICES IN AN EFFICIENT AND COST EFFECTIVE MANNER FOR THE BENEFIT OF THE TOWN OF DARIEN TAXPAYERS, AND

WHEREAS, IT IS NECESSARY TO RENEW THE ONE-YEAR AGREEMENT WITH THE DARIEN BOARD OF EDUCATION, NOW THEREFORE BE IT

RESOLVED, THAT THE ATTACHED TECHNOLOGY MANAGEMENT AND MAINTENANCE AGREEMENT IS HEREBY APPROVED AND

**JOHN N. CRARY, ADMINISTRATIVE OFFICER, TOWN OF DARIEN,
IS AUTHORIZED TO EXECUTE THE AGREEMENT ON BEHALF OF
THE BOARD OF SELECTMEN.**

**** MS. THORNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**RESOLUTION APPROVING AN AGREEMENT WITH THE DARIEN POLICE
UNION FOR A NEW FOUR-YEAR CONTRACT**

First Selectman Harrel stated that contract negotiations with the Darien Police Union had been ongoing since the spring of 2002 and were lengthy due to association and union changes and a change in the Town's Administrative Officer. He continued that once the proposed four year agreement was approved by the RTM, it will be effective July 1, 2002. He stated that the contract had typically been for three years.

Dr. Miceli questioned if it was a stipulated agreement and Mr. Crary replied that arbitration hearings had commenced but were stopped when an agreement was reached that was acceptable to both parties.

Mr. Jim Patrick, Chair of the Public Safety Commission, asked how the 3.8% increase was arrived at and Mr. Crary replied that they looked at other area police unions and at the cost savings of the total package, not just the increases. He stated that the most important thing was the cost savings on insurance and that it matched the teachers and was a very fair settlement. Mr. Crary stated that he recommended its approval.

Ms. Thorne thanked Mr. Crary for his persistence in moving the contract along.

**** MR. WARREN WAIVED THE READING OF AND MOVED TO
APPROVE THE FOLLOWING RESOLUTION:**

**WHEREAS, CONTRACT NEGOTIATIONS WITH THE DARIEN
POLICE UNION HAVE BEEN ONGOING SINCE THE SPRING OF 2002,
AND**

**WHEREAS, THE PRINCIPAL AREAS OF NEGOTIATION INCLUDED
INCREASED SALARIES FOR THE MEMBERS OF THE UNIT,
INCREASED EMPLOYEE COST SHARING FOR MEDICAL, DRUG
AND DENTAL EXPENSES, THE ADDITION OF A LONG TERM
DISABILITY POLICY FOR THOSE OFFICERS WHO ARE NOT
ELIGIBLE FOR RETIREMENT AND THE TERM OF THE
AGREEMENT, AND**

**WHEREAS, THE NEGOTIATING COMMITTEES OF THE TOWN AND
THE POLICE UNION HAVE REACHED AN UNDERSTANDING ON**

THE TERMS OF A NEW AGREEMENT AND HAVE RECOMMENDED ITS ADOPTION TO THEIR RESPECTIVE PARTIES, NOW THEREFORE BE IT

RESOLVED, THAT THE BOARD OF SELECTMEN HEREBY APPROVES THE PROPOSED FOUR YEAR AGREEMENT WITH THE DARIEN POLICE UNION AND REFERS THE AGREEMENT TO THE REPRESENTATIVE TOWN MEETING (RTM) FOR THEIR CONSIDERATION.

**** MS. THORNE SECONDED.
** MOTION PASSED UNANIMOUSLY.**

DISCUSSION OF THE FORTHCOMING IMPROVEMENTS TO THE TRANSFER STATION

First Selectman Harrel stated that a new concrete pad will be put in the transfer area that will allow up to three more containers. He noted that the improvements will provide a better traffic flow and the parking layout will be redone to allow for parking next to the areas. There will also be a new retaining wall with a pedestrian rail.

Ms. Klein asked when the project will be started and First Selectman Harrel reported that the intention is to begin in August and it will be a 3-4 week project.

Ms. Flora Smith questioned the cost and the budget line item it will come from and First Selectman Harrel replied that an appropriation was made this year for \$52-53,000 and when the bids came in at \$61-62,000 funds were moved from the air conditioning account that came in under budget.

DISCUSSION OF THE 9/11/01 - COMMEMORATION

First Selectman Harrel asked the Board for their input on a ceremony commemorating September 11th. He reported that a middle school student is working on a memorial in front of the school. It was discussed whether to do another Fireman's Monument memorial. Ms. Klein stated that she would talk to other communities to see what they are doing and also will check with the Committee.

SCHEDULE A SPECIAL MEETING TO MEET WITH TOWN COUNSEL REGARDING A REAL ESTATE MATTER ON THURSDAY, JUNE 5, 2003 AT 5:30 IN ROOM 206, TOWN HALL.

First Selectman Harrel reported a Special Meeting will be held on June 5, 2003 at 5:30 p.m. to review the Proccacini property matter with Town Counsel.

**CONSIDER AND TAKE ACTION ON THE REQUEST OF THE REGISTRAR
OF VOTERS FOR A TRANSFER OF APPROPRIATIONS FROM ACCT.
A0117652-82008, PRINTING TO ACCT. A0117652-82016, MAILING/SHIPPING,
\$1,200**

First Selectman Harrel reported that the request for a transfer of appropriations was for the reimbursement to the postage meter for validation work.

- ** MR. WARREN MOVED TO APPROVE THE REQUEST OF THE
REGISTRAR OF VOTERS FOR A TRANSFER OF APPROPRIATIONS
FROM ACCT. A0117652-82008, PRINTING TO ACCT. A0117652-82016,
MAILING/SHIPPING, \$1,200**
- ** DR. MICELI SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

**CONSIDER AND TAKE ACTION ON THE REQUEST OF THE POLICE CHIEF
FOR A TRANSFER OF APPROPRIATIONS AS FOLLOWS:**

<u>FROM:</u>			<u>TO:</u>		
<u>ACCT. NO.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCT. NO.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
A0332231 81001	Patrol Personnel- Full Time Sal.	\$15,000	A0332221-81004	Criminal Invest. Overtime Salary	15,000

First Selectman Harrel reported that due to the overtime spent in the sexual assault case, the Police Chief was requesting a transfer of appropriations in the amount of \$15,000.

- ** MR. WARREN MOVED TO APPROVE THE REQUEST OF THE
POLICE CHIEF FOR A TRANSFER OF APPROPRIATIONS FROM
ACCOUNT # A0332231-81001, PATROL PERSONNEL- FULL TIME
SALARY, IN THE AMOUNT OF \$15,000 TO A0332221-81004,
CRIMINAL INVESTIGATION OVERTIME SALARY, IN THE AMOUNT
OF \$15,000.**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

**CONSIDER AND TAKE ACTION ON THE REQUEST OF THE POLICE CHIEF
FOR A TRANSFER OF APPROPRIATIONS AS FOLLOWS:**

<u>FROM:</u>			<u>TO:</u>		
<u>ACCT. NO.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCT. NO.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
A0332221-81001	Criminal Inv.- Full Time Sal.	\$3,000	A0332223-83007	Criminal Invest. Operating Supplies	3,000

First Selectman Harrel stated that the request for a transfer of appropriations in the amount of \$3,000 was needed for the costs to transport the prisoner in the sexual assault case from the west coast to Darien to stand trial.

- ** MR. WARREN MOVED TO APPROVE THE REQUEST OF THE POLICE CHIEF FOR A TRANSFER OF APPROPRIATIONS FROM ACCOUNT # A0332221-81001, CRIMINAL INVESTIGATION - FULL TIME SALARY, IN THE AMOUNT OF \$3,000 TO ACCT. NO. A0332223-83007, CRIMINAL INVESTIGATION - OPERATING SUPPLIES, IN THE AMOUNT OF \$3,000.**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

CONSIDER AND TAKE ACTION ON THE REQUEST OF THE POLICE CHIEF FOR A TRANSFER OF APPROPRIATIONS AS FOLLOWS:

<u>FROM:</u> <u>ACCT. NO.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>TO:</u> <u>ACCT. NO.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
A0332231-81001	Patrol Personnel- Full Time Sal.	\$33,000	A0332322-82041	Station Oper & Maint. Facility Repair	33,000

First Selectman Harrel stated that this transfer will allow for the replacement of the Police Department's failing air conditioning units to be taken out of the 2003/04 budget and completed in the current fiscal year with in-house funding.

- ** MR. WARREN MOVED TO APPROVE THE REQUEST OF THE POLICE CHIEF FOR A TRANSFER OF APPROPRIATIONS FROM ACCOUNT # A0332231-81001, PATROL PERSONNEL – FULL TIME SALARY, IN THE AMOUNT OF \$33,000 TO A0332322-82041, STATION OPERATING & MAINTENANCE FACILITY REPAIR, IN THE AMOUNT OF \$33,000.**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

CONSIDER AND TAKE ACTION ON THE REQUEST OF THE POLICE CHIEF FOR A TRANSFER OF APPROPRIATIONS AS FOLLOWS:

<u>FROM:</u> <u>ACCT. NO.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>TO:</u> <u>ACCT. NO.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
A0332231-81001	Uniform - Full Time Salary	\$8,000	A0332313-83004	Fleet Services Motor Fuel	8,000

First Selectman Harrel stated that this request for a transfer of appropriations was due to the increase in the cost of gasoline.

- ** MR. WARREN MOVED TO APPROVE THE REQUEST OF THE POLICE CHIEF FOR A TRANSFER OF APPROPRIATIONS FROM ACCOUNT # A0332231-81001, UNIFORM, IN THE AMOUNT OF \$8,000, TO ACCOUNT # A0332313-83004, FLEET SERVICES, IN THE AMOUNT OF \$ 8,000.
- ** MS. THORNE SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

CONSIDER AND TAKE ACTION ON THE REQUEST OF THE FINANCE DIRECTOR FOR A TRANSFER OF APPROPRIATIONS AS FOLLOWS:

<u>FROM:</u>			<u>TO:</u>		
<u>ACCT. NO.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCT. NO.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
A0991000-82106	Social Security	\$10,000	A0993006-86600	Contingency	\$10,000
TOTAL		\$10,000	TOTAL		\$10,000

First Selectman Harrel stated that this request for a transfer of appropriations was to temporarily replenish the contingency account.

- ** DR. MICELI MOVED TO APPROVE THE REQUEST OF THE FINANCE DIRECTOR FOR A TRANSFER OF APPROPRIATIONS FROM ACCOUNT # A0991000-82106, SOCIAL SECURITY IN THE AMOUNT OF \$10,000, TO ACCOUNT #A0993006-86600, CONTINGENCY, IN THE AMOUNT OF \$10,000.
- ** MS. THORNE SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

CONSIDER AND TAKE ACTION ON THE REQUEST OF THE PERSONNEL DEPARTMENT FOR A TRANSFER OF APPROPRIATIONS AS FOLLOWS:

<u>FROM:</u>			<u>TO:</u>		
<u>ACCT. NO.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCT. NO.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
A0993006-86600	Contingency	\$20,600	A0115102-82007	Labor Counsel	\$20,600

First Selectman Harrel stated that this request for a transfer of appropriations was for payment to the Labor Counsel and was primarily to wrap up the police contract.

- ** MR. WARREN MOVED TO APPROVE THE REQUEST OF THE PERSONNEL DEPARTMENT FOR A TRANSFER OF APPROPRIATIONS FROM ACCOUNT # A0993006-86600, CONTINGENCY, IN THE AMOUNT OF \$20,600 TO ACCOUNT # A0115102-82007, LABOR COUNSEL, IN THE AMOUNT OF \$20,600
- ** MS. THORNE SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

REPORTS

FIRST SELECTMAN'S UPDATE

First Selectman Harrel reported that the sewer project on Pear Tree Point is on hold and that engineering work needs to be reviewed. He reported it may be held up until the fall.

First Selectman Harrel reported that he and Jeremy Ginsberg met with the property owners on Grove Street regarding the underground utilities and they are going to consider it.

First Selectman reported that Kemper, the Town's insurance carrier, ratings were downgraded. He reported that through negotiations with CIRMA they were able to get new coverage through CIRMA effective July 1. He stated that the policy with Kemper was canceled and a return of premium was asked for.

First Selectman Harrel reminded the Board that the Farmers Market will begin on June 18th and go through November 19th and will start an hour earlier this year from 11:00 a.m. to 4:00 p.m.

First Selectman Harrel reported there is an ongoing investigation into the damage at the Senior Center.

First Selectman Harrel reported that he planned to go to Indian Point's nuclear plant on Thursday to get a security briefing.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

May 5, 2003 – Regular Meeting

The following changes were made to the Minutes: On all pages: change the date of the meeting to May 19, 2003.

- ** MR. WARREN MOVED TO ACCEPT THE MINUTES OF THE
REGULAR MEETING OF MAY 19, 2003 AS AMENDED.**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

FORTHCOMING MEETINGS

June 16, 2003 – Regular Meeting at 8:00 p.m.

June 16, 2003 - RTM Special Meeting at 8:15 p.m.

The Board reported that a Special Meeting will be held on June 23, 2003 at 8:00 p.m.

OTHER BUSINESS

(A two-thirds majority vote is required to add an item to the agenda).

There was no Other Business discussed.

EXECUTIVE SESSION

- ** MR. WARREN MOVED TO GO INTO EXECUTIVE SESSION AT 6:35 P.M. TO INTERVIEW EVANS KERRIGAN, HOLLY KELLY AND PATSY FOGARTY.**
- ** DR. MICELLI SECOND.**
- ** MOTION PASSED UNANIMOUSLY.**

The Board reconvened into public session at 7:18 p.m.

NEW BUSINESS

CONSIDER AND TAKE ACTION ON THE FOLLOWING APPOINTMENTS:

- A) EVANS KERRIGAN (R) AS A MEMBER OF THE COMMISSION ON AGING TO FILL THE TERM OF PATRICIA CARPENTER, EXPIRING ON 3/31/05.**
- B) HOLLY KELLY (D) AS A MEMBER OF THE YOUTH COMMISSION TO REPLACE LARRY LEHAN FOR A TERM EXPIRING ON 3/31/06.**
- C) PATSY FOGARTY (D) AS A MEMBER OF THE COMMISSION OF AGING TO FILL THE TERM OF MARY GAMMILL EXPIRING ON 3/31/05.**
- ** MR. WARREN MOVED TO APPROVE THE APPOINTMENTS OF EVANS KERRIGAN (R) AS A MEMBER OF THE COMMISSION ON AGING TO FILL THE TERM OF PATRICIA CARPENTER, EXPIRING ON 3/31/05, HOLLY KELLY (D) AS A MEMBER OF THE YOUTH COMMISSION TO REPLACE LARRY LEHAN FOR A TERM EXPIRING ON 3/31/06, AND PATSY FOGARTY (D) AS A MEMBER OF THE COMMISSION OF AGING TO FILL THE TERM OF MARY GAMMILL EXPIRING ON 3/31/05.**
- ** DR. MICELI SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

**CONSIDER AND TAKE ACTION ON THE FOLLOWING REAPPOINTMENT:
ZONING BOARD OF APPEALS – RAMSEY BELL (D) FOR A TERM
EXPIRING ON 6/30/06**

- ** MR. WARREN MOVED TO APPROVE THE REAPPOINTMENT OF
ZONING BOARD OF APPEALS – RAMSEY BELL (D) FOR A TERM
EXPIRING ON 6/30/06**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

AJOURNMENT

- ** MR. WARREN MOVED TO ADJOURN.**
- ** DR. MICELI SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Donna DeVito
Telesco Secretarial Services